

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALVIN S. FLOWERS,)	No. C 07-6184 JF (PR)
)	
Petitioner,)	ORDER OF TRANSFER
vs.)	
)	
MICHAEL EVANS,)	
)	
Respondent.)	
)	

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his Placer County Superior Court criminal conviction. Plaintiff is currently incarcerated at Salinas Valley State Prison in Soledad, California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. See Habeas L.R. 2254-3(a); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968); cf. Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum to review execution of sentence).

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1 Here, Petitioner challenges his 2003 state criminal conviction in Placer Superior
2 Court. Accordingly, this case is TRANSFERRED to the United States District Court for
3 the Eastern District of California. See 28 U.S.C. §§ 1391(b), 1404(a); Habeas L.R. 2254-
4 3(b)(1). The Clerk shall terminate any pending motions and transfer the entire file to the
5 Eastern District of California.

6 IT IS SO ORDERED.

7 DATED: 12/14/07


JEREMY FOGEL
United States District Judge

1 A copy of this order was mailed to the following:

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3 Alvin S. Flowers
4 T-91323/B1-131
5 Salinas Valley State Prison
6 P.O. Box 1050
7 Soledad, CA 93960-1050
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